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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/450,261

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RANDY P. STANLEY

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7389

7590

01/22/2003

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EXAMINER

LIN, KENNY S

ART UNIT

PAPER NUMBER

2154

DATE MAILED: 01/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/450,261

Applicant(s)

STANLEY, RANDY P.

Examiner

Kenny Lin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are presented for examination.
2. The text of those section of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections - 35 USC § 103

3. Claims 1-3, 6-10 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukakoshi et al, U.S. Patent Number 5,926,623.
4. Tsukakoshi et al was cited in the last office action.
5. As per claims 1 and 8, Tsukakoshi et al taught the invention substantially as claimed including a method comprising transferring time sensitive data (col.1, lines 24-34, 49-59, col.3, lines 40-55, col.4, lines 42-44, Tables 4 and 5) from a storage coupled to a first processor-based system (fig.1, col.1, lines 20-23) to a storage coupled to a second processor-base system (fig.1, col.1, lines 41-67, col.2, lines 1-13, col.6, lines 1-14); and display time sensitive data on a display (16, fig.1, col.6, lines 1-10, col.9, lines 21-24, col.11, lines 4-8) coupled to second processor-based system.
6. Tsukakoshi et al did not specifically use the word “automatically” to teach automatically transfer and automatically display of time sensitive data. However, Tsukakoshi et al disclosed a

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system that would transfer the time sensitive data that had been edited by the PIM software when certain criteria are met without user intervention (col.1, lines 53-64, col.3, line 65 to col.4, line 4, lines 9-11, 16-23, 42-44, col.10, lines 48-60). Although Tsukakoshi et al did not specifically state that the time sensitive data is automatically displayed, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program (col.9, lines 21-25). Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to sound or pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Furthermore, Tsukakoshi et al had suggested that the objection for his system is to reduce the operational procedures required for the extraction of required data (col.1, lines 13-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the automatically transferring the required data in Tsukakoshi et al's system because doing so, would enables Tsukakoshi et al's system to obtain the most up to date data without user intervention. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include this feature to automatically display the scheduled events as reminders to meet users' needs.

7. As per claim 15, Tsukakoshi et al taught the invention substantially as claimed in claim 1. In addition Tsukakoshi et al disclosed a processor-based system (fig.1, 200, col.4, lines 53-58), comprising a processor (fig.1, 21, col.4, lines 53-58), a first storage storing a personal

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information manager application (col.5, lines 3-10, col.6, lines 31-33), and a second storage storing software including instructions (col.4, line 59 to col.5, line 3) that causes the processor to transfer time sensitive data to another processor-based device (fig.1, 100, fig.7, col.5, lines 32-67, col.6, lines 1-10) to display said time sensitive data at a predetermined time (col.9, lines 21-25).

8. Tsukakoshi et al did not specifically use the word “automatically” to teach automatically transfer and automatically display of time sensitive data. However, Tsukakoshi et al disclosed a system that would transfer the time sensitive data that had been edited by the PIM software when certain criteria are met without user intervention (col.1, lines 53-64, col.3, line 65 to col.4, line 4, lines 9-11, 16-23, 42-44, col.10, lines 48-60). Although Tsukakoshi et al did not specifically state that the time sensitive data is automatically displayed, it is well known in the art that time sensitive data such as meeting reminder, events and To Do list can sound alarms and display the reminder on the display screen to remind the user of such activity at the predetermined time depending on the functions of the utility software program (col.9, lines 21-25). Some examples of these time sensitive data alarm setting can be found in Microsoft Outlook calendar and Palm Pilot Date Book where an alarm or reminder can be set to sound or pop up on display to remind a user of a company meeting or birthday of a child at certain time or day. Furthermore, Tsukakoshi et al had suggested that the objection for his system is to reduce the operational procedures required for the extraction of required data (col.1, lines 13-17). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have included the automatically transferring the required data in Tsukakoshi et al’s system because doing so, would

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enables Tsukakoshi et al's system to obtain the most up to date data without user intervention. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include this feature to automatically display the scheduled events as reminders to meet users' needs.

9. As per claims 2, 9 and 20, Tsukakoshi et al taught the invention substantially as claimed in claims 1, 8 and 15 including that the time sensitive data is automatically transferred from the storage coupled to the first processor-based system (see claims 1, 8 and 15 rejection).

Tsukakoshi et al did not specifically teach that the time sensitive data is automatically transferred when it is determined that the first processor-based system is being powered off. However, Tsukakoshi et al disclosed an automatically transfer method in their system to automatically transfer the time sensitive data when certain criteria are met without user intervention (col.1, lines 53-64, col.3, line 65 to col.4, line 4, lines 9-11, 16-23, 42-44, col.10, lines 48-60).

Tsukakoshi et al further taught that the time sensitive data can be automatically transferred before the second processor-based system is disconnected from the first processor-based system (col.6, lines 4-10). Furthermore, it is well known in the art to save files as back ups in a remote hard drive before a processor-based system such as a web server is shut down for repair or update. It would have been obvious to one of ordinary skill in the art at the time the invention was made to have Tsukakoshi et al's system to automatically transfer the time sensitive data to the second processor-based when determined that the first processor-based system is being powered off to allow data synchronization or data back up between the two processor-bases systems in Tsukakoshi et al's system and prevents the users from not getting/updating the newest

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data files or PIM information such as new meeting schedules, to do list or personal events and reminders.

10. As per claims 3 and 10, Tsukakoshi et al taught the invention substantially as claimed in claims 1 and 8. Tsukakoshi et al further taught to automatically transfer personal information manger information (col.4, lines 42-44, col.5, lines 26-30, col.6, lines 23-30).

11. As per claims 7 and 14, Tsukakoshi et al taught the invention substantially as claimed in claims 1 and 8. Tsukakoshi et al further taught to automatically display a portion of a calendar graphical user interface (col.6, lines 34-47).

12. As per claim 16, Tsukakoshi et al taught the invention substantially as claimed in claim 15. Tsukakoshi et al further taught to include a link on system to device (fig.1, 32, col.5, lines 23-25).

13. As per claim 17, Tsukakoshi et al taught the invention substantially as claimed in claim 16. Tsukakoshi et al further taught that the system is a portable computer that includes device (figs.1 and 7, col.1, lines 20-23, 49-67).

14. As per claims 6, 13 and 19, Tsukakoshi et al taught the invention substantially as claimed in claims 1, 8 and 15. Tsukakoshi et al further taught to provide real time clock information

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from first processor-based system to second processor-based system (col.6, lines 11-18, col.10, lines 48-53).

15. As per claim 18, Tsukakoshi et al taught the invention substantially as claimed in claim

17. Tsukakoshi et al did not specifically teach a housing for computer and the display being located on the outside of housing. However, it is well known in the art to include a housing for portable computers to protect the hardware and to include a display for the user to view the information.

16. Claims 4-5 and 11-12 rejected under 35 U.S.C. 103(a) as being unpatentable over Tsukakoshi et al, U.S. Patent Number 5,926,623, as applied to claims 1-3, 6-10 and 13-20 above, and further in view of Vong et al, U.S. Patent Number 6,209,011.

17. Vong et al was cited in the last office action.

18. As per claims 4 and 11, Tsukakoshi et al taught the invention substantially as claimed in claims 3 and 10 including automatically transferring personal information manger information. However, Tsukakoshi et al did not specifically teach that the personal information manger information includes timed alerts. Vong et al taught about portable devices containing PIM that include timed alert notification functions (figs.5 and 7, col.1, lines 37-40, col.2, lines 26-31, col.3, lines 60-65, col.14, lines 3-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tsukakoshi et al and Vong et

al because Vong et al's timed alert provides notifications for Tsukakoshi et al's system using lights or sounds to remind users of scheduled events.

19. As per claims 5 and 12, Tsukakoshi et al taught the invention substantially as claimed in claims 1 and 8. Tsukakoshi et al did not specifically teach to include an audible alert at a predetermined time. However, Vong et al taught portable computing devices containing PIM to automatically provide audible alert at a predetermined time (col.1, lines 37-40, col.2, lines 45-49). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tsukakoshi et al and Vong et al because Vong et al's audible alert provides notifications for Tsukakoshi et al's system using sounds to remind users of a scheduled event.

20. Applicant's arguments filed 11/20/2002 have been fully considered but they are not deemed to be persuasive.

21. In the remarks, applicant argued in substance that (1), Tsukakoshi et al reference disclosed only use of a temporary file to store a record related to a predetermined time period for a selective transfer of data rather than automatically displaying time sensitive data at a predetermined time after an automatic transfer. (2) Hallowell et al reference fails to teach the claimed limitations in claims 2, 9 and 20. (3) Reference Tsukakoshi et al in combination with the Vong et al reference is a prima facie case of obviousness rejection not adequately established by the Examiner. (4) No reason suggestion or motivation is found in the cited reference.

22. Examiner respectfully traverses applicant's remarks.

As to point (1), Tsukakoshi et al taught to use the second processor-based system, which is the PC card taught in the reference, to store PIM (personal information manager) data. Although Tsukakoshi et al did not use the words "automatic" or "automatically", data transfer and display of data at predetermined time in Tsukakoshi et al's system is done without user intervention (see claims 1, 8 and 15 rejection). Obviousness reason for automatic transfer and display can be found in reference Deo et al, U.S. Patent 6,356,956 col.1, lines 53-58, col.2, lines 20-23, 28-30.

As to point (2), Hallowell et al's reference taught the concept of saving data prior to a system shut done. Examiner has remove Hallowell et al reference from the rejection (see claims 2, 9, and 20 rejection).

As to point (3), Vong et al disclosed an application program interface of portable computing devices for creating a user notification to occur at the appointed schedule. Such application program interface can be the personal information manager utility program stored in Tsukakoshi et al's system to provide sound alerts or display an announcement (see claims 4-5 and 11-12 rejection).

As to point (4), Although there are no reason or suggestion by the cited referent to combine reference Tsukakoshi et al and Vong et al, one of ordinary skill in the art would have been motivated to combine Tsukakoshi et al and Vong et al at the time the invention was made because Vong et al taught an application program interface which is a personal information manager utility program that can be used in Tsukakoshi et al's system to manage personal data and schedules, referred in the claims the time sensitive data. It would have been obvious to one

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of ordinary skill in the art to update or install a newer and better utility program that provides more functions in his/her processor-based system to manage his/her personal information.

Obviousness reason for automatic transfer and display can be found in reference Deo et al, U.S. Patent 6,356,956 col.1, lines 53-58, col.2, lines 20-23, 28-30.

23. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Deo et al, U.S. Patent 6,356,956, disclosed automatic transferring of data objects.

Philipson et al, U.S. Patent 6,334,046, disclosed information management system.

Ben-Shachar et al, U.S. Patent 6,208,996, disclosed notification database.

Lazaridis et al, U.S. Patent 6,219,694, disclosed information transfer from a host system to a mobile device.

24. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (703)305-0438. The examiner can normally be reached on 8 AM to 5 PM Tuesday to Friday and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (703)305-9678. Additionally, the fax numbers for Group 2100 are as follows:


Official Responses: (703) 746-7239

After Final Responses: (703) 746-7238

Draft Responses: (703) 746-7240

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-5140.

ksl
January 15, 2003


MENG-AL T. AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100